

RICHARD L. CALCARA*
JOSEPH W. MORELAND
THOMAS H. MARSHALL
JAMES R. "DICK" WAERS
MICHAEL J. STAPP**
ROBERT J. HENRY***
CHARLES R. SCHWARTZ*
MARTIN W. WALTER
ADRIENNE H. WYKER
ANGELA M. ATKINSON
NATALIE M. MILLER
SCOTT L. BROWN
JANE L. WILLIAMS
LAUREN M. FLETCHER*
REBECCA S. PROCTOR*

* ADMITTED IN KS
** ADMITTED IN KS, MO and NE
*** ADMITTED IN MO, NE, IA and D.C.
ALL OTHERS ADMITTED IN KS and MO

LAW OFFICES
BLAKE & UHLIG, P.A.
475 NEW BROTHERHOOD BLDG.
753 STATE AVENUE
KANSAS CITY, KANSAS 66101
913/321-8884
913/321-2396 TELEFAX



MISSOURI OFFICE
2500 HOLMES
KANSAS CITY, MO 64108
816/472-8883
NEBRASKA OFFICE
9615 IDA STREET
OMAHA, NE 68122

JOHN J. BLAKE (Retired)

ROBERT L. UHLIG (1929-1981)
RICHARD B. THOMPSON (1952-1981)
ROBERT L. DAMERON (1951-2001)

0101.0000

April 5, 2006

SENT VIA U.S. EXPRESS MAIL SERVICE

Labor and Industrial Relations Commission
State of Missouri
P.O. Box 599
Jefferson City, MO 65102-0599

FILED

APR - 6 2006

LABOR AND INDUSTRIAL
RELATIONS COMMISSION

Re: Objections to Annual Wage Order No. 13

Dir Sirs/Mesdames:

On behalf of Local Union No. 101 of the International Union of Operating Engineers, and pursuant to 8 CSR 20-5.010, an objection is hereby filed regarding Annual Wage Order No. 13, which was issued by the Division of Labor Standards on or about March 10, 2006. This letter and all supporting documents are being filed in triplicate with the Commission. The Union specifically objects to the prevailing wage rate set under Annual Wage Order No. 13 for operating engineers in the following counties:

BUILDING CONSTRUCTION RATES

	<u>Rates Listed</u>	<u>Proposed Rates</u>
Greene, Lawrence, Taney Counties (Group III)	\$17.85 / \$9.27	\$18.45 / \$9.27
Ozark, Vernon Counties (Group II)	\$14.94* / \$8.60	\$19.05 / \$9.27

*The Union suspects this is a training wage rate submitted by Brundage-Bone Concrete Pumping, Inc.

HEAVY CONSTRUCTION RATES

	<u>Rates Listed</u>	<u>Proposed Rates</u>
Greene, Webster Counties (Group II)	\$19.93 / \$8.60	\$21.02 / \$9.30

In support of the Union's objections, enclosed please find the following documents:

EXHIBIT A – Agreement between Builders Association (Springfield Area) and Operating Engineers Local No. 101 (April 1, 2003 to March 31, 2007). This CBA establishes the total compensation package for building construction work in Greene, Lawrence, Ozark, Taney, and Vernon Counties.

EXHIBIT B – Agreement between Associated General Contractors of Missouri and Operating Engineers Local No. 101 (May 1, 2002 to April 30, 2006). This CBA establishes the total compensation package for heavy construction work in Greene and Webster Counties.

EXHIBIT C – Springfield Builders Association Pension Paid to CPF (Wage and Fringe Benefit Rates Effective 4/01/2006). This notice advises employers how to allocate the total compensation package between wages and fringes for building construction work performed in Greene, Lawrence, Ozark, Taney, and Vernon Counties, effective April 1, 2006.

EXHIBIT D – Outlying Areas Wage & Fringe Benefit Rates Effective 5/1/2005. This notice advises employers how to allocate the total compensation package between wages and fringes for heavy construction work performed in Greene and Webster Counties, effective May 1, 2005. These rates will be revised effective May 1, 2006.

The Union is in the process of compiling payroll documents from signatory contractors to verify that numerous working hours were performed in the six disputed counties under the relevant collective-bargaining agreements during calendar year 2005. These documents will demonstrate that the correct wage and fringe-benefit rates for operating engineers working in these counties are currently those specified above. These documents will be furnished to the Division of Labor Standards as soon as practicable.

The undersigned hereby certifies that a copy of this letter of objection, along with a copy of each of the enclosures, has been mailed this date, postage prepaid, via United States Mail, to the Division of Labor Standards, P.O. Box 449, Jefferson City, Missouri 65102-0449. Because this is an Annual Wage Order rather than a specific wage determination, there is no "requesting party" to whom a copy need be sent.

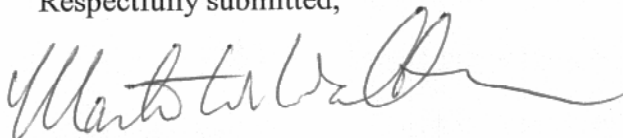
Thank you for your consideration of this matter. Should you have any questions with regard to the enclosed documents or anything asserted herein, please do not hesitate to contact the undersigned.

Labor and Industrial Relations Commission

April 5, 2006

Page 3

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Martin W. Walter", with a long, sweeping horizontal stroke extending to the right.

Martin W. Walter

MWW:mw

Enclosures

cc: Rodger Kaminska
Gary Bennett
Mo. Div. of Labor Stds.